COVINGTON & BURLING

3rd June 1991

To Ms Kay Packett, The Tobacco Institute

From Dr Chris Proctor, Covington and Burling

BIASED QUESTIONS WITHIN OSHA RFI ON INDOOR AIR.

The following highlights questions within the Occupational Safety and Health Administration's draft request for information on occupational exposure to indoor air pollutants that appear to be biased, and not appropriate to a request for information.

Introduction pages 5 and 6 - Although these points may already be taken into account, it must be noted that the claims of adverse health affects associated with exposure to environmental tobacco smoke made in this document are not only inappropriate to the scientific evidence that exists over workplace exposure, but also inappropriate in the context of a general request for information.

Page 18, question 34 - This question, in the manner by which it is phrased, implies that reducing non-smokers' exposure to "passive tobacco smoke" is an essential consideration.

Page 18, Question 35 a) - It is clearly not appropriate for a request for information to be seeking opinions rather than facts and observations. The question also implies that levels of PTS before ventilation are unsafe.

Page 23, Question 54 b) - Surely respondents who do not believe that the ASHRAE standard is not sufficient for controlling exposure to indoor air contaminants should be requested to provide quantitative information to support their case just as those supporting the ASHRAE standard have been requested to do (question 54 a)).

Page 26, Question 65 - This question presupposes that

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non-smokers should be protected from PTS.

Page 26, Question 66 - It seems somewhat unnecessary to specify passive smoking as an indoor air quality problem when smoking is already mentioned as one of the potential contaminants.

Page 33, Question 87 - An additional option should be given whereby there are designated smoking areas with recommended ventilation rates but no dedicated exhaust.

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